

WINSTON & STRAWN LLP
AMANDA L. GROVES (SBN 187216)
agroves@winston.com
KOBI K. BRINSON (*Pro Hac Vice*)
kbrinson@winston.com
STACIE C. KNIGHT (*Pro Hac Vice*)
sknight@winston.com
333 S. Grand Avenue, 38th Floor
Los Angeles, CA 90071
Telephone: 213.615.1700
Facsimile: 213.615.1750

*Attorneys for Defendants Wells Fargo Bank, N.A.
and Wells Fargo & Co.*

MCGUIREWOODS LLP
AVA E. LIAS-BOOKER (*Pro Hac Vice*)
aliasbooker@mcguirewoods.com
ALICIA A. BAIARDO (SBN 254228)
abaiardo@mcguirewoods.com
JASMINE K. GARDNER (*Pro Hac Vice*)
jgardner@mcguirewoods.com
Two Embarcadero Center, Suite 1300
San Francisco, CA 94111-3821
Telephone: 415.844.9944
Facsimile: 415.844.9922

*Attorneys for Defendants Wells Fargo Bank, N.A.
and Wells Fargo & Co.*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

AARON BRAXTON, GIA GRAY, BRYAN BROWN AND PAUL MARTIN, individually and on behalf of all others similarly situated,

Case No. 3:22-cv-01748-JD

Hon. James Donato

Plaintiffs,

V.

WELLS FARGO BANK, N.A., a Delaware corporation; WELLS FARGO HOME MORTGAGE, INC. a Delaware corporation; and WELLS FARGO & CO., a Delaware corporation

**STIPULATION REGARDING
BRIEFING SCHEDULE AND HEARING ON
PLAINTIFFS' MOTION TO APPOINT
INTERIM COUNSEL FOR A PUTATIVE
REFINANCING CLASS**

Defendants.

1 Pursuant to Local Civil Rules 6-2 and 7-12, the Parties, through their respective counsel,
 2 hereby stipulate to the following brieing schedule.

3 **WHEREAS**, five putative class actions have been related and are before this Court. *See*
 4 *Williams v. Wells Fargo Bank, N.A., et al.*, Case No. 3:22-cv-00990-JD (filed Feb. 17, 2022);
 5 *Braxton v. Wells Fargo Bank, N.A., et al.*, Case No. 3:22-cv-01748-JD (filed Mar. 18, 2022);
 6 *Pope v. Wells Fargo Bank, N.A. et al.*, No. 4:22-cv-01793-JD (filed Mar. 21, 2022); *Ebo v. Wells*
 7 *Fargo Bank, N.A.*, No. 3:22-cv-02535-JD (filed Apr. 26, 2022); and *Perkins v. Wells Fargo*
 8 *Bank, N.A., et al.*, Case No. 3:22-cv-3455-CRB (filed June 10, 2022) (“Related Cases”).

9 **WHEREAS**, on July 28, 2022, the *Braxton* Plaintiffs filed a Motion to Appoint Interim
 10 Counsel for a Putative Refinancing Class (“*Braxton*’s Plaintiffs’ Interim Counsel Motion”,
 11 *Braxton* Dkt. No. 45). The *Braxton* Plaintiffs’ Interim Counsel Motion is currently set for
 12 September 1, 2022, with any opposition or response to the Motion currently due August 11, 2022,
 13 and any reply due August 18, 2022.

14 **WHEREAS**, Wells Fargo filed a Motion to Consolidate the Related Cases on August 5,
 15 2022 initially setting it for hearing on November 10, 2022 as it continued to work with all counsel
 16 on scheduling.

17 **WHEREAS**, the Parties request the Court continue the *Braxton* Plaintiffs’ Interim Counsel
 18 Motion and set the following briefing schedule on the *Braxton* Plaintiffs’ Interim Counsel Motion
 19 and Wells Fargo’s Motion to Consolidate, in order to allow both Motions to be heard on the same
 20 day and allow all parties sufficient time to respond.

21 **WHEREAS**, the Parties’ Stipulation will alter the current deadlines as follows:

Action on Interim Counsel Motion	Present Date	Stipulated Date
Responses or Objections	August 11, 2022	August 26, 2022
Reply to Responses or Objections	August 18, 2022	September 16, 2022
Hearing on Motion	September 1, 2022	September 29, 2022

26 **WHEREAS**, lead counsel for the *Braxton* Plaintiffs, Dennis S. Ellis, may be in trial on
 27 September 29, 2022, as he is currently serving as lead trial counsel for Pacific Gas & Electric
 28

1 Company in a matter captioned *Gloria Ruckman, et al. v. Big n Deep Ag Development Co., et al.*,
2 Superior Court of the State of California, County of Kern, Case No. BCV-15-101699. The
3 *Braxton* Plaintiffs are hopeful that trial will be completed by September 29, 2022 and the Parties
4 will inform this Court no later than September 22, 2022, if lead counsel for the *Braxton* Plaintiffs
5 will not be available on September 29, 2022, so that the Parties may work with the Court to set an
6 alternative Hearing Date.

7 **WHEREAS**, the following prior extensions have been granted:

- 8 1. Extension of time to answer the Complaint granted for Defendants, *Braxton* Dkt.
9 No. 12; and
10 2. Extension of time to answer the First Amended Complaint granted for Defendants,
11 *Braxton* Dkt. No. 18.

12 **THEREFORE, THE PARTIES AGREE AND JOINTLY REQUEST** the Court enter
13 an order setting the following briefing scheduling:

- 14 1. Any response to the *Braxton* Plaintiffs' Interim Counsel Motion or Wells Fargo's
15 anticipated Motion to Consolidate will be due no later than August 26, 2022;
16 2. Any Reply in support of the Interim Counsel Motion or Wells Fargo's anticipated
17 Motion to Consolidate will be due no later than September 16, 2022;
18 3. The *Braxton* Plaintiffs' Interim Counsel Motion and Wells Fargo's anticipated Motion
19 to Consolidate will be set for hearing on September 29, 2022 unless otherwise ordered.

20 **IT IS SO STIPULATED AND AGREED.**

21 DATED: August 8, 2022

22 **WINSTON & STRAWN LLP**

23 By: /s/ Amanda L. Groves
24 Amanda L. Groves
25 agroves@winston.com
26 333 S. Grand Avenue, 38th Floor
27 Los Angeles, CA 90071
28 Telephone: (213) 615-1700
 Facsimile: (213) 615-1750

1 Kobi K. Brinson (*admitted pro hac vice*)
2 kbrinson@winston.com
3 Stacie C. Knight (*admitted pro hac vice*)
4 sknight@winston.com
5 300 South Tryon Street, 16th Floor
6 Charlotte, NC 28202
7 Telephone: (704) 350-7700
8 Facsimile: (704) 350-7800

9
10 **MCGUIREWOODS LLP**

11 By: /s/ Alicia A. Baiardo
12 Ava E. Lias-Booker (*admitted pro hac vice*)
13 alias-booker@mcguirewoods.com
14 Alicia A. Baiardo
15 abaiardo@mcguirewoods.com
16 Jasmine K. Gardner (*admitted pro hac vice*)
17 jgardner@mcguirewoods.com
18 Two Embarcadero Center, Suite 1300
19 San Francisco, CA 94111-3821
20 Telephone: (415) 844.9944
21 Facsimile: (415) 844.9922

22
23 *Attorneys for Defendants*
24 WELL'S FARGO BANK, N.A.,
25 WELL'S FARGO HOME MORTGAGE, INC.,
26 AND WELL'S FARGO & COMPANY

27 DATED: August 8, 2022

28 **ELLIS GEORGE CIPOLLONE O'BRIEN
ANNAGUEY LLP**

29 By: /s/ Noah S. Helpern
30 Noah S. Helpern (State Bar No. 254023)
31 nhelpern@egcfirm.com
32 Trent B. Copeland (State Bar No. 136890)
33 tcopeland@egcfirm.com
34 Ryan Q. Keech (State Bar No. 280306)
35 rkeech@egcfirm.com
36 2121 Avenue of the Stars, Suite 2800
37 Los Angeles, California 90067
38 Telephone: (310) 274-7100
39 Facsimile: (310) 275-5697

1 FRANK SIMS & STOLPER LLP
2

3 By: /s/ Scott H. Sims
4

5 Jason Frank (State Bar No. 190957)
6 jfrank@lawfss.com
7 Scott H. Sims (State Bar No. 234148)
8 ssims@lawfss.com
9 Andrew D. Stolper (State Bar No. 205462)
10 astolper@lawfss.com
11 19800 MacArthur Blvd., Suite 855
12 Irvine, California 92612
13 Telephone: (949) 210-2400
14 Facsimile: (949) 201-2405

15 *Attorneys for Plaintiffs Aaron Braxton, Gia Gray,
16 Bryan Brown, Paul Martin, on behalf of themselves
17 and all others similarly situated*

18

19

20

21

22

23

24

25

26

27

28

1 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(h)(3)**

2 Pursuant to Civil Local Rule 5-1(h)(3), the filer of this document attests that concurrence in
3 the filing of this document has been obtained from the signatories above.

4 By:/s/ Alicia A. Baiardo

5 Alicia A. Baiardo

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2022, I electronically filed the foregoing document entitled **STIPULATION REGARDING BRIEFING SCHEDULE AND HEARING ON PLAINTIFFS' MOTION TO APPOINT INTERMIM COUNSEL FOR A PUTATIVE REFINANCING CLASS** with the Clerk of the Court for the United States District Court, Northern District of California using the CM/ECF system and served a copy of same upon all counsel of record via the Court's electronic filing system.

Dated: August 8, 2022

By:/s/ Alicia A. Bajardo
Alicia A. Bajardo